



## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Notice and Request for Comments

AGENCY: Surface Transportation Board, DOT.

ACTION: 30-day notice of request for approval of extension: Notifications of Trails Act Agreement and Substitute Sponsorship.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501-3519 (PRA), the Surface Transportation Board (Board) gives notice that it is requesting from the Office of Management and Budget (OMB) approval of an extension of the information collection—Notifications of Trails Act Agreement and Substitute Sponsorship—further described below. The Board previously published a notice about this collection in the Federal Register (80 FR 11262, March 2, 2015). That notice allowed for a 60-day public review and comment period. No comments were received.

Under 16 U.S.C. 1247(d) and the Board's regulations, the STB will issue a Certificate of Interim Trail Use (CITU) or Notice of Interim Trail Use (NITU) to a prospective trail sponsor who offers to assume managerial, tax, and legal responsibility for a right-of-way that a rail carrier would otherwise abandon. The CITU/NITU permits parties, for 180 days, to negotiate for a railbanking agreement. If parties reach an agreement, the CITU/NITU automatically authorizes railbanking/interim trail use. If no agreement is reached, then upon expiration of the negotiation period, the CITU/NITU

authorizes the railroad to exercise its option to fully abandon the line without further action by the Board.

Pursuant to 49 CFR 1152.29, parties must jointly notify the Board when a trail use agreement has been reached, and must identify the exact location of the right-of-way subject to the agreement, including a map and milepost marker information. The rules also require parties to file a petition to modify or vacate the CITU/NITU if the trail use agreement applies to less of the right-of-way than covered by the CITU/NITU. Finally, the rules require that a substitute trail sponsor must acknowledge that interim trail use is subject to restoration and reactivation at any time.

Comments may now be submitted to OMB concerning: (1) the accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

#### DESCRIPTION OF COLLECTION

*Title:* Notifications of Trails Act Agreement and Substitute Sponsorship

*OMB Control Number:* 2140-0017.

*STB Form Number:* None.

*Type of Review:* Extension without change.

*Respondents:* Parties to an interim trail use agreement; substitute trail sponsors.

*Number of Respondents:* 40.

*Estimated Time Per Response:* 1 hour.

*Frequency:* On occasion.

*Total Burden Hours* (annually including all respondents): 40 hours.

*Total “Non-hour Burden” Cost:* None identified. Filings are submitted electronically to the Board.

*Needs and Uses:* The submissions ensure that the affected public and the agency will have notice whenever a trails use agreement is reached or modified. They also ensure that any trail sponsor, including any substitute trail sponsor, acknowledges that interim trail use is subject to restoration and reactivation at any time.

*Retention Period:* Information in this report will be maintained in the Board’s files for 10 years, after which it is transferred to the National Archives.

**DATE:** Comments on this information collection should be submitted by June 5, 2015.

**ADDRESSES:** Written comments should be identified as “Paperwork Reduction Act Comments, Surface Transportation Board, Notifications of Trails Act Agreement and Substitute Sponsorship.” These comments should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Chandana L. Achanta, Surface Transportation Board Desk Officer, by email at [OIRA\\_SUBMISSION@OMB.EOP.GOV](mailto:OIRA_SUBMISSION@OMB.EOP.GOV); by fax at (202) 395-6974; or by mail to Room 10235, 725 17th Street, N.W., Washington, DC 20503.

**FOR FURTHER INFORMATION, CONTACT:** For further information regarding the Notifications of Trails Act Agreement and Substitute Sponsorship, contact Chris Oehrle, Surface Transportation Board, 395 E Street S.W., Washington, DC 20423-0001, or email

*PRA@stb.dot.gov*. [Federal Information Relay Service (FIRS) for the hearing impaired:  
(800) 877-8339.]

SUPPLEMENTARY INFORMATION: Under the PRA, a federal agency conducting or sponsoring a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements or requests that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the Federal Register concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: May 1, 2015.

Jeffrey Herzig,  
Clearance Clerk.

FR-4915-01-P

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